

4038. Adulteration of desiccated eggs. U. S. v. A. H. Barber & Co. Plea of guilty. Fine, \$200 and costs. (F. & D. No. 2770. I. S. No. 13938-c.)

On August 4, 1913, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against A. H. Barber & Co., a corporation, Chicago, Ill., alleging shipment by said company, in violation of the Food and Drugs Act, on February 3, 1911, from the State of Illinois into the State of Pennsylvania, of a quantity of desiccated eggs which were adulterated.

An examination of a sample of the product by the Bureau of Chemistry of this department showed after 3 days' incubation that it contained 900,000,000 organisms per gram on plain agar at 25° C.; 850,000,000 organisms at 37° C.; 100,000,000 gas-producing organisms, and 100,000,000 streptococci. The appearance of the product was poor and its odor was strong.

Adulteration of the product was alleged in the information for the reason that it consisted wholly of a filthy animal substance, which said filthy animal substance rendered the desiccated eggs unfit for food; further, in that the article consisted in part of a filthy animal substance, which said filthy animal substance rendered the desiccated eggs unfit for food; further, for the reason that the article consisted wholly of a decomposed animal substance, which said decomposed animal substance rendered the desiccated eggs unfit for food; further, for the reason that the article consisted in part of a decomposed animal substance, which said decomposed animal substance rendered the desiccated eggs unfit for food; further, for the reason that the article consisted wholly of a putrid animal substance, which said putrid animal substance rendered the desiccated eggs unfit for food; and further, for the reason that the article consisted in part of a putrid animal substance, which said putrid animal substance rendered the desiccated eggs unfit for food.

On November 16, 1914, the defendant company withdrew its plea of not guilty theretofore made and entered a plea of guilty to the information, and the court took the case under advisement, after evidence had been heard. On March 26, 1915, the court imposed a fine of \$200 and costs upon the plea of guilty that had been entered.

CARL VROOMAN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., November 4, 1915.